

being left alone by government. Now, this means more than not having the government be able to bother you. It means having a legitimate expectation that government will not interfere with you as long as you meet some minimal conditions—such as not interfering with other people's rights to be left alone. In this sense liberty is an exclusively negative concept. It is not a claim on government. It is not a right to have government do something you want it to do. It is a "right" to engage in the pursuit of happiness free from government restraint except as already noted.

The Framers of our Constitution talked about life, liberty and property as fundamental, indeed natural rights. What they meant by this was not three separate interests. Rather they were referring to the fundamental integrity of the human person. James Madison, perhaps the most influential figure in our Constitution's birth and development, made this clear when in 1792 he wrote, in an essay entitled, "Property".

"This term in its particular application means 'that dominion which one man claims and exercises over the external things of the world, in exclusion of every other individual'.

"In its larger and juster meaning, it embraces every thing to which a man may attach a value and have a right; and which leaves to every one else the like advantage.

"In the former sense, a man's land, or merchandize, or money is called his property.

"In the latter sense, a man has property in his opinions and the free communication of them.

"He has a property of peculiar value in his religious opinions, and in the profession and practice dictated by them.

"He has property very dear to him in the safety and liberty of his person.

"He has an equal property in the free use of his faculties and free choice of the objects on which to employ them.

"In a word, as a man is said to have a right to his property, he may be equally said to have a property in his rights."

Life, liberty and property for the Framers meant the protection of the fundamental integrity of the human person against government. It sometimes meant that protection must be maintained against the democratic majority. Liberty was opposed to arbitrary power whether legislative, executive or judicial. The system established by the Constitution was not designed for efficiency, but precisely the opposite purpose, to contain and control, to check and limit what was seen as a very real threat to human happiness: government.

This is not to suggest that the Framers were anarchists. They were wise and practical people (and lawyers) who perceived that fallen humans at times need the restraining hand of government to protect them from one another. However, they saw this as a purely negative role. While government might prevent some unhappiness, it could never create happiness.

Now let me try to tie my two themes together. When lawyers serve in the traditional mode as officers of the legal system—and this means guardians of constitutional liberty—they are heroic figures. They keep the dangerous yet necessary leviathan of government within its proper sphere. This is a role that gives dignity to the profession. It is also what I contend has been responsible for the extraordinarily good image the profession has had for most of our history.

This, of course, is a simplification. There have been notorious examples of bad lawyers and judges throughout the American past. In fact, like any group of human beings, most lawyers and judges never lived up to the

ideal. Of course, very few human beings ever live up to their ideals, which is the reason why real saints and heroes are in short supply even in free market economies. However, the ideal was a very real part of our culture for much of our history. It ennobled the profession and gave individuals something to strive for. Lawyers had the role of guardians of the citizens' liberty and property. Both lawyers and citizens accepted this role.

Today, however, that image has changed. Beginning in the later part of the 19th century, as has been noted by Dean Anthony T. Kronman of Yale Law School in his book "The Lost Lawyer," the idea took shape and developed slowly through the 20th century that lawyers were social engineers or power brokers or the mediators between private and public "rights." The names changed with the years but the concept was that the legal system's purpose was to reform and improve society.

No longer were lawyers the guardians against power, they were the apparatchiks, to use a Soviet term, or the henchmen of power. They had become the sorcerer's apprentices. Increasingly, lawyers' incomes and economic prospects became attached to the operation and growth of the administrative state. Lawyers increasingly became the functionaries of that state. To be sure, their ideal goal was to make that system relatively fair and efficient. Still, they were no longer the guardians who kept it in check or the knights-errant who fought against it when necessary.

This fundamental shift in the relationship of the lawyer to constitutional liberty is, I would submit, the principle reason for the drastic decline in the public's view of lawyers over the last quarter century. The people have never liked the king's agents, even when they have liked the king. To manipulate power is not an ideal. In many ways it is a curse. A hundred new model codes of professional conduct, backed up by a thousand disciplinary boards, will not restore the profession's sense dignity, status and self worth. Stature comes not from self-regulation but from self-definition. And the choice of self-definition is fairly simple: user of power or defender of liberty against government.

I should add, lest there be any confusion, this is not an attack upon government attorneys. In fact, they are the frontline guardians of liberty against government. Whether in recent decades or before, their commitment to liberty against government has been no worse, and sometimes better, than non-government attorneys. Those in government often know best the blessings of limited government and most clearly understand the dangers of the leviathan state.

What is to be done? That really is the challenge you face. There are no immutable laws of history or culture as the recent transformation of Russia has proved. Daily in this nation and abroad we see what several decades ago was thought impossible in science, medicine, economics or politics become the facts of the nightly news. The historical junkyard is littered with the ruins of many so-called "laws of history," which decreed how inevitable were their bleak and sterile visions of the future.

Each generation has the power to restore true values, and more importantly each individual has the ability to determine his or her own destiny and path toward salvation. The values you hold and the goal of your life are within your power to create and achieve. It's up to you. On this your graduation day, as Holmes said—Sherlock that is, not Oliver Wendell—"The game's afoot." May God speed and bless that game for each of you. And may you each treat that precious degree, stained with sweat and tears, and possibly highlighter and beers, if not blood, as

your sword and shield to guard, defend and further liberty.

THE 1995 BASE CLOSURE LIST

Mrs. FEINSTEIN. Mr. President, I rise today in strong opposition to the 1995 base closure list and to urge the President to reject the Base Closure Commission's recommended hit list.

In this base closure round, the Commission voted to close or realign 9 out of the 12 military bases in California that were reviewed, many against the recommendation and advice of the Secretary of Defense.

In addition to the adverse national security impact of the Commission's action, the economic impact on California—particularly the cumulative economic impact—will be enormous.

ECONOMIC IMPACT OF BASE CLOSURES

California is being hit disproportionately hard by base closures. In three previous rounds, 22 major bases in California have been slated for closure or realignment—more than double any other State.

California is home to only 15 percent of all Defense Department personnel. Yet, California has lost more than 82,000 of the nearly 120,000 net direct jobs—military and civilian—lost nationwide since 1988 as a result of base closures alone.

All total, these actions have resulted in the loss of more than 200,000 direct and indirect jobs and \$7 billion in annual economic activity in California.

I do not believe it is appropriate to proceed with another base closure round when the full impact of previous base closures has not yet been felt. In California, bases slated for closure in 1988 are just now starting to close their gates, and few are having success in reuse and redevelopment efforts.

If the current base closure round goes forward, 58,000 additional direct and indirect California jobs will be impacted—7,900 direct military and 19,000 direct civilian personnel. Major bases in California which the Commission has targeted include:

McClellan Air Force Base in Sacramento;
Long Beach Naval Shipyard in Los Angeles County;
Onizuka Air Station in Sunnyvale;
Oakland Army Base in Alameda County;
Sierra Army Depot in Lassen County; and
Fort Hunter Liggett in Monterey County.

With the addition of defense industry layoffs in California—which have claimed 250,000 jobs in just the past few years—California stands to lose more than half-a-million jobs as a result of base closures and defense downsizing.

And, defense industry downsizing is expected to continue through the end of the decade with the loss of another 250,000 jobs. Enough is enough.

By law, economic impact must be considered by the Commission when determining what bases to recommend

for closure or realignment. The inclusion of economic impact as a criteria is for good reason: to prevent the piling on of base closures on one single community or State.

Yet, it is clear to me that the Commission disregarded the economic impact of currently proposed and previously announced base closures on California when it made its final recommendation to close or realign nine California bases.

CALIFORNIA'S FRAGILE ECONOMY

The California economy cannot take additional base closures at this time. California was once the land of golden opportunity, where good paying jobs were available and investments in real estate resulted in high-paying dividends. Today, that dream of golden opportunities has disappeared.

California's unemployment rate is nearly 3 percent higher than the national average. More than 1.28 million Californians are out of work. In fact, California has 17 percent of all the unemployed workers in America.

As cuts in jobs, both military and civilian, loom on the horizon, consumer confidence has dwindled. Consumers are unwilling to move into homes and purchase durable goods as long as the State's economic prospects remain dim.

"Disappointing, disturbing, and traumatic"—those are the words used by the president of the California Association of Realtors to describe the current challenge of being a real estate agent in California.

The facts about the current real estate market in California are startling. Home sales dropped 21 percent in California during the first quarter of 1995. In Los Angeles County alone, home prices dropped 23 percent from January 1991 to January 1995. Prices fell another 3 percent in March of this year.

The crisis of confidence in California's economy extends well beyond the real estate market and the sheer number of unemployed residents. People are simply unsettled about the State's economic future.

Orange County filed bankruptcy, and just this week, while hoping to earn \$30 million in a real estate auction, had to settle for \$15 million. Bill Lange, who conducted the auction, remarked, "On a scale of one to 10, it's about a five. It'd be an eight or nine if the real estate market wasn't in the tank." In any case, it is still a small fraction of the county's \$1.7 billion in investment losses.

Los Angeles County, the largest in the Nation, is faced with the prospect of eliminating a \$1.2 billion deficit. Laying off more than 18,000 employees—one out of five county workers—seems inevitable. Closing the County-U.S.C. Medical Center is another likely budget-cutting measure that will be implemented.

Twelve months ago, California's leading indicators were running slightly above the national trend. Six months ago, California dropped to next to last

among all States. In a 3-month moving average of leading indicators—as compiled by the WEFA Group of Bala Cynwyd, Pennsylvania—California comes in dead last.

If California continues to suffer blow after blow, not only will this slow our economic recovery, but could set it back. I cannot predict the total consequences of further devastating cuts.

This is the Nation's largest State, and a weakened and uncertain economy here can lash like a chain reaction through our national economy and our balance of trade. Closing California's military bases can only make matters worse. Our economy, simply put, will continue its steep downward spiral with no end in sight.

BASE CLOSURES COST MORE THAN ANTICIPATED

Base closures have turned out to be a lot more expensive than originally estimated, primarily because environmental costs are not included in closure estimates. As history indicates, costs for closing military bases in California have sky-rocketed:

BRAC 88 clean-up costs were originally estimated at \$126 million in 1990. By 1994, the costs had quadrupled to \$598 million;

The costs to clean up bases from BRAC 91 were originally estimated at \$389 million. Now, these costs have risen to \$1.3 billion.

Clean-up costs for BRAC 93 bases were originally estimated at \$230 million in 1990. By 1994, these costs had risen more than five-fold, to \$1.4 billion.

The costs to clean up and close California's bases for the first three rounds alone is nearly \$3.5 billion, up from the \$745 million that was originally estimated and budgeted. California bases alone could absorb all of the funds appropriated for clean-up in all the BRAC accounts from fiscal year 1990 through 1995.

And the total costs to clean up BRAC 95 bases that were originally recommended for closure or realignment is estimated at more than \$1 billion—and these are just initial estimates. If history is any indication, then these costs will increase two-, three-, four-, or even five-fold. McClellan Air Force Base's environmental costs alone will more than double the original estimated clean-up costs for BRAC 95.

Mr. President, I would like to discuss some specific details on the two largest bases in California that were targeted by the Commission: McClellan Air Force Base and Long Beach Naval Shipyard.

MCCLELLAN AIR FORCE BASE

McClellan Air Force Base was targeted for closure by the Commission, against the recommendation of the Secretary of Defense and despite protests by the Air Force's military and civilian leadership. McClellan is northern California's largest industrial employer, with nearly 15,000 mostly civilian workers.

I believe that the Commission's action to target McClellan for closure

will adversely impact U.S. national security and drain needed fiscal resources from higher priority programs and initiatives in the Pentagon budget.

The Air Force has stated that the cost to close one Air Logistics Center is estimated at \$500 million, excluding environmental clean-up costs. These prohibitively high closure costs would be greater than the total cost the Air Force has budgeted over the next 6 year for all of its base closures and realignments nationwide.

According to a recent letter from Air Force Chief of Staff General Fogelman and Secretary of the Air Force Sheila Widnall, the Commission's action will:

Cost the Air Force hundreds of millions of additional dollars (in excess of \$1 billion in environmental and military construction costs) during the next five years; disrupt military readiness because of the total restructuring of the Air Force logistics and depot system; preclude the Air Force from carrying through on vital readiness and modernization programs; and have a devastating impact on as many as 25,000 DoD employees in Texas and California who would lose their jobs or have to relocate to other Air Force installations at great personal and public expense.

I ask unanimous consent that the full text of the letter, as well as a letter from General Moorman, the Air Force Vice Chief of Staff, be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mrs. FEINSTEIN. I have visited McClellan several times over the last few years. McClellan is an excellent base with superb, state-of-the-art facilities and is one of the most advanced installations in the entire military.

McClellan has its own one-of-a-kind industrial nuclear reactor, a non-destructive aircraft inspection facility, logistics retrofit engineering capabilities, and a technical laboratory with specialized logistics facilities. McClellan is truly a unique asset to our Nation's defense.

Finally with regard to McClellan, if economic impact—particularly cumulative economic impact—is going to be considered, then the impact on the northern California region must be considered when looking at McClellan.

Already in the Sacramento area, Mather Air Force Base and the Sacramento Army Depot have been slated for closure, resulting in the loss of nearly 7,000 direct jobs. And, in nearby Vallejo, the closure of Mare Island Naval shipyard will result in the loss of an additional 9,000 direct jobs.

LONG BEACH NAVAL SHIPYARD

I do not believe that the Pentagon's recommendation to close Long Beach Naval Shipyard makes sense. In 1993, the Base Closure Commission addressed the issue of whether to close the Shipyard, and the Commission recognized the vital role that Long Beach plays in support of the Pacific Fleet and kept it open.

Long Beach Naval Shipyard is strategically located in southern California—

near 70 percent of the Pacific Fleet in San Diego—and has a large dry-dock capable of docking every class of ship in the U.S. Navy's inventory, including large aircraft carriers. Other Naval shipyards are long distances from the west coast mega-port: Puget Sound is located 1,135 nautical miles from San Diego and Pearl Harbor is located 2,600 nautical miles away.

Long Beach is also the most cost-effective shipyard in the Navy. It is the only one of the eight Navy shipyards that operates in the black with annual retained earnings. In just the last 6 fiscal years, Long Beach has been consistently under budget and \$102.7 million has been returned to the Navy budget.

The closure of Long Beach Naval Shipyard will also have a devastating economic impact. 13,000 jobs and \$539 million in annual economic activity will be lost if Long Beach closes. Los Angeles County has taken the brunt of the State's defense downsizing and Long Beach previously suffered from a large base closure: Long Beach Naval Station.

Former Chairman of the Joint Chiefs of Staff Colin Powell may have provided the best defense of Long Beach when he said in 1991 that the:

closure of Long Beach Naval Shipyard would seriously degrade the dry dock capability for all large ships in the Southern California area. Alternatives in Hawaii and Washington simply could not provide the services found at Long Beach.

General Powell was right. Long Beach Naval Shipyard should not be closed.

ONIZUKA AIR STATION

Onizuka Air Station has existed in Sunnyvale since the mid-1950's and was created to provide a place where the Air Force satellite control mission and other classified Defense Department tenants could function in collocation.

While the Air Force has proposed realigning Onizuka and shifting many of its functions to other bases outside California, the Air Force's proposal actually amounts to a stealth closure of this state-of-the-art base. In the short-term, nearly 3,000 jobs will be lost as a result of Onizuka's realignment. In the long term, Onizuka's closure will cost several thousand additional jobs.

In addition to the economic impact on the northern California region, I believe that Onizuka's realignment could have an adverse impact on U.S. national security, particularly with regard to the Nation's satellite control and communication network. I also question the cost-effectiveness of Onizuka's proposed realignment in light of the long pay-back period—7 years—and the fact that the base will continue to operate well into the next century.

I am also concerned that the recommendation to realign Onizuka could have been tainted by a 1993 internal Air Force study on the closure of Onizuka. This study was conducted outside of

the official BRAC process and estimated the true cost to close Onizuka at hundreds of millions of dollars more than originally estimated by the Air Force. Unfortunately, the existence of this study—which was originally denied by the Air Force—was uncovered late in the BRAC process, thus impeding its full utilization.

I ask unanimous consent that the copy of a 1993 Air Force letter, which initiated a study of Onizuka Air Station's closure outside of the official BRAC process, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

OAKLAND ARMY BASE

Mrs. FEINSTEIN. Once again the Commission rejected the recommendation of the Secretary of Defense, as well as the pleas of the Army's military and civilian leadership, and targeted Oakland Army Base for closure. In addition to being vital to U.S. national security, Oakland Army Base's closure will have an adverse impact on a region still feeling the brunt of previous base closures.

The Oakland Army Base's mission is to support the rapid deployment of military equipment and other large cargo in times of peace and war. As the only exclusive use, Army-owned secure access facility on the west coast, the Oakland Army Base is crucial to the Pentagon's strategy of being able to fight and win two nearly simultaneous regional conflicts.

The senior Army leadership closely reviewed Oakland Army Base when preparing their 1995 base closure recommendations. The closure of the Oakland Army Base was flatly rejected by Secretary of the Army Togo West on operational grounds because there simply are insufficient commercial port facilities on the west coast to support the Army's military requirements.

I personally spoke with General Sullivan, the Army Chief of Staff, who said he strongly opposes the closure of the Oakland Army Base. In a recent letter to me, General Sullivan wrote that:

its loss represents an unacceptable risk. Oakland is essential for the deployment of our CONUS-based forces to respond to any national security threats which would emerge in the Pacific. . . . The Army needs this critical facility to support the rapid deployment of equipment during peace and war.

In addition to its adverse impact on U.S. national security, the closure of Oakland Army Base will result in the loss of at least 700 jobs in the San Francisco Bay Area, an area hard hit by previous base closures. As you may recall, the 1993 base closure process claimed more than 30,000 jobs with the closure of Alameda Naval Air Station, Mare Island Naval Shipyard, Treasure Island Naval Station, and other facili-

ties. The bay area's economy simply cannot take another major blow.

I ask unanimous consent that the full text of General Sullivan's letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

FORT HUNTER LIGGETT

Mrs. FEINSTEIN. In addition to the strong military and fiscal arguments for keeping the TEXCOM Experimentation Center at Fort Hunter Liggett, the realignment of the base will have an adverse economic impact on an area already suffering the consequences from one of the biggest BRAC actions in the county: the closure of Fort Ord. Monterey County's already fragile economy cannot afford the realignment of another major base.

Fort Hunter Liggett provides a total test and experimentation package to the Department of Defense. TEXCOM's isolated location provides unequaled access to extremely versatile training areas with a wide variety of weather and terrain conditions, controlled airspace to 24,000 feet, a 360-degree high energy laser testing area, isolation from ambient light and minimal radio frequency interference.

While Fort Hunter Liggett was evaluated in the BRAC process only as a training area, the base performs vital test and evaluation functions. Thus, the recommendation to realign Fort Hunter Liggett and move TEXCOM—a test and evaluation asset—is based on a flawed analysis that did not take into account TEXCOM's unique capabilities. The Director of Operational Test and Evaluation at the Defense Department has stated that moving TEXCOM would be a "show stopper."

Finally with regard to Fort Hunter Liggett, I do not believe that the proposed realignment is cost-effective. Information presented to the Commission staff by Monterey County officials regarding one-time costs, return on investment, and accumulated savings showed that the realignment of Fort Hunter Liggett is not cost-effective. However, I understand that this new information was not utilized by or presented to the Commission.

I ask unanimous consent that the full text of a letter from Mr. Phil Coyle, the Director of Operational Test and Evaluation, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 5.)

CONCLUSION

Mrs. FEINSTEIN. Mr. President, California has been hit disproportionately hard by base closures once again. While California is willing to do its fair share of base closures and defense downsizing, this base closure round is simply not fair to the State.

It is my contention that if this round of base closures goes through as proposed by the Commission, the cumulative economic impact of base closures on California will have a devastating impact on California and affect the State's recovery from the recession.

Just after three base closure rounds, it is apparent in California that when base closures are combined with ongoing large-scale defense downsizing, there is a substantial impact on jobs for working people. Therefore, a worker who loses a job in the defense industry or on a base, loses retirement benefits, health insurance and a good salary. Similar replacement jobs are simply not available.

I strongly urge the President to reject the 1995 base closure list because of the devastating economic impact—including the cumulative economic impact—of base closures on California.

In addition, several of the Base Closure Commission's recommendations are opposed by the Secretary of Defense, as well as our military and civilian leadership at the Pentagon, because of their adverse impact on U.S. national security. Surely our military leaders know what is best for the Nation's defense.

EXHIBIT No. 1

SECRETARY OF THE AIR FORCE,
Washington, DC, June 21, 1995.

Hon. ALAN J. DIXON,
Chairman, Defense Base Closure, and Realignment Commission, Arlington, VA

DEAR MR. CHAIRMAN: The Air Force approach to the depots is prudent because it saves money for the taxpayers and protects military readiness. It is also the product of exhaustive analysis by military professionals and senior leadership who have been working the proposal for over a year.

Our depot proposal is simple. Building on the personnel reduction that have already been taken from the Air Logistic Centers and depots during the last five years (over 26,000 people), the pending Air Force proposal would reduce and realign the depots by an additional 1,987 jobs (with a net present value of \$975 million). While there would be some disruption, the business of the Air Force—flying combat and transport aircraft, and maintaining our command and control and space network—would continue unimpeded. This total Air Force depot reduction of 28,000 jobs is almost two and a half times the total depot reduction achieved by all other DoD components in all four BRAC rounds combined.

On the other hand, the staff generated BRAC proposal described to us will cost the Air Force hundreds of million of additional dollars (in excess of \$1 billion in environmental and military construction costs) during the next five years; disrupt military readiness because of the total restructuring of the Air Force logistics and depot system; preclude the Air Force from carrying through on vital readiness and modernization programs; and have a devastating impact on as many as 25,000 DoD employees in Texas and California who would lose their jobs or have to relocate to other Air Force installations at great personal and public expense.

Most importantly, the essential business of the Air Force—operations, logistics and budget dollars that are critical to future modernization—would be greatly disrupted. Since the end of the cold war, the Air Force has reduced its budget by more than \$20 bil-

lion and reduced personnel by over 200,000 people. Some further reductions and savings are necessary; however, they must be taken in a way that permits the Air Force to continue to carry out its essential mission. The Department of Defense proposal does that; the Commission staff alternative does not.

Sincerely,

RONALD R. FOGLEMAN,
General USAF, Chief
of Staff.

SHEILA E. WIDNALL,
Secretary of the Air
Force.

EXHIBIT No. 2

DEPARTMENT OF THE AIR FORCE,
U.S. AIR FORCE,
Washington, DC.

Hon DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC 20510

DEAR SENATOR FEINSTEIN: This responds to your request for my views on McClellan Air Force Base, California, pertaining to that base's consideration by the Defense Base Closure and Realignment Commission. Given our limited fiscal resources, the Air Force views the budgetary impact of a closure of any of the depot installations as inconsistent with other budget priorities. The estimated one-time cost of a closure of McClellan AFB, not including environmental restoration costs, is more than \$500 million. Incurring these costs would be harmful to our efforts in modernization, readiness, and quality of life initiatives. The Air Force strongly opposes the closure of any of our depot installations, including McClellan AFB.

I understand the Commissioners were impressed during their recent visit to McClellan AFB with the quality and scope of the work performed there. As you know, McClellan AFB possesses several Air Force maintenance centers of excellence and was recommended as a Technical Repair Center receiver location for a number of commodities in the Air Force proposal to downsize Air Force depots. These commodity workloads include such vital areas as composites and plastics, hydraulics, injection molding, and electrical/mechanical support equipment. The approval of our recommendation in the BRAC process will clearly establish the Sacramento Air Logistics Center as Air Force Materiel Command's number one provider of these commodities for the future.

The skilled workers and leadership at McClellan AFB are essential to the Air Force proposal. The Commission's recognition of their deserved reputation for quality, efficiency, and pride in their work will commend the approval of the downsizing initiative. I trust this information will prove helpful and please let me know if you would like to discuss.

THOMAS S. MOORMAN, JR.,
General, USAF, Vice Chief of Staff.

EXHIBIT No. 3

U.S. ARMY,
THE CHIEF OF STAFF,
May 24, 1995.

Hon. DIANE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: As we discussed by phone yesterday, the Army's position regarding the recent decision by the Defense Base Closure and Realignment Commission to consider the closure of Oakland Army Base remains unchanged. The Army studied the feasibility of closing the port at Oakland and concluded its loss represents an unacceptable risk. Oakland is essential for the deployment of our CONUS-based forces to respond to any national security threats which could emerge in the Pacific.

Although our initial analysis indicated some financial benefit, the resulting oper-

ational risk is unacceptable. The Army needs this critical facility to support the rapid deployment of equipment during peace and war. Its closure would leave the Army without a port facility on the west coast.

While it has been difficult for the Army to identify the excess infrastructure necessary for divestiture, we clearly understand the impact of BRAC on our fellow Americans. Our choices for realignment and closure are the right ones and balance requisite infrastructure with the warfighting capability needed to forge the Army into the 21st century.

We will make certain the Commission clearly understands the Army's position on Oakland Army Base. I appreciate your personal interest in and support of the Army.

Sincerely,

GORDON R. SULLIVAN,
General, U.S. Army.

EXHIBIT No. 4

DEPARTMENT OF THE AIR FORCE,
HEADQUARTERS U.S. AIR FORCE,
Washington, DC, February 10, 1993.

1. During his visit to Onizuka AFB in 1992, Gen McPeak asked about the cost and operations impacts of closing Onizuka. This alternative is being considered by the Space & C31 Resource Allocation Team [RAT] as a possible cut during upcoming budget exercises. Request a joint study be initiated to assess the impacts of such a closure, document the development and support impacts of such a closure, and determine if the mission of the AFSCN could continue while meeting operational and User requirements.

2. I recently received an AFSCN status. It described the current Network, the acquisition methodology, and provided detail on the planned Improvement and Modernization programs essential to maintaining the AFSCN infrastructure, and providing User support. These efforts must continue and may provide the architecture that will allow a closure of Onizuka that minimizes operational impacts and improves operational efficiency in the future.

3. All these considerations should be taken into account in this study. The primary output of this study should be a briefing and report fully defining the AFSCN mission in light of the current world environment, updating the operational and acquisition impacts of a closure, and fully describing what must be done to accomplish the AFSCN mission in the future. As you are aware, the AF will have to respond to budget actions resulting from the new administration as well as prepare for the FY 96 POM (the effect on the space community will exceed \$1.5B in FY 96). We need to be certain all current and planned missions of the AFSCN are well understood, and the operational impacts of a closure of Onizuka include all AFSCN Users. Initial output of this study should be a plan, to include a schedule, with interim milestones, and a final briefing and report. We would like the AFSCN PEMs in SAF/AQSL and AF/XORS to participate in this study and would like to have access to the interim data to support any on-going exercises. Please provide your plan and schedule by 5 Mar 93.

SANFORD D. MANGOLD,
Colonel, USAF.

EXHIBIT No. 5

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, DC, February 10, 1995.

MEMORANDUM FOR ASSISTANT SECRETARY OF
DEFENSE FOR ECONOMIC SECURITY (ECONOMIC REINVESTMENT AND BRAC)

Subject: Functional Assessment of Proposed Military Department Base Realignment and Closure Actions.

Proposed BRAC actions by the MILDEPs as available on 9 February 1995, have been reviewed, and except as identified in the attachments, determined to be acceptable from the perspective of the DoD test and evaluation mission. Of those in the attachments, two are considered to be major showstoppers (regarding Dugway Proving Grounds and Fort Hunter-Liggett), and another a minor showstopper (Tunnel 9 inclusion in the White Oak closure). The remainder are considered incomplete requiring additional alternatives to be analyzed before we can agree to them.

PHILIP E. COYLE,

*Director, Operational
Test and Evaluation.*

JOHN A. BURT,

*Director, Test, Systems
Engineering, and
Evaluation.*

ISSUE

The Army's proposal to move its Test Battalion from Fort Hunter-Liggett (FHL) to Ft. Bliss would de facto "close" FHL and remove its capabilities from operational test use.

RATIONALE

1. The TEXCOM Experimentation Center (TEC), located at Fort Hunter-Liggett, California, has the unique capability to provide a total test/experimentation package. TEC's isolated location provides unequal access to extremely versatile training areas with a wide variety of weather and terrain conditions, controlled airspace to 24,000 feet, a 360 degree high energy laser play area, isolation from ambient light, and minimal radio frequency (RF) interference.

2. The terrain at FHL resembles Korea and is unlike that in any of the desert test ranges. Its diverse terrain features—mountains, hills, rivers, creeks and lakes—were the reason FHL was selected as a field laboratory site in 1957 and FHL remains a unique asset today. For example, operational testing prior to the final IOT&E of the SGT YORK was at Ft. Bliss where only flat terrain was encountered. In the IOT&E at FHL the valley walls caused ground clutter breakthrough which rendered the radar useless. Also, FHL has a unique capability—a natural 360 degree "bowl"—and the necessary state permits—to test high power military lasers. Recent Longbow Apache tests at FHL required this capability, revealing important limitations in modeling and simulation.

3. By moving to Ft. Bliss a further test restriction would be created. Radio frequency jamming essential to creating a realistic test environment in a location that is close to large metropolitan areas, international airports, and an international border will be difficult to recreate and will increase risks of not having an adequate test environment.

4. Operating temporarily at FHL with mobil assets will be more expensive. Just four years ago in March 1991, all of TEC's command staff and operational functions were consolidated at FHL because operating in temporary duty status was too expensive. The projected savings reflected in the Army's submission, the reduction of 17 military and 5 federal civilians, would be trivial when considering giving up this valuable and important operational test capability.

RECOMMENDATION

Army withdraw proposal to move its test Battalion from Fort Hunter-Liggett to Ft. Bliss.

JAMES D. WOLFENSOHN: BRILLIANT LEADERSHIP FOR THE KENNEDY CENTER

Mr. KENNEDY. Mr. President, it is a privilege to take this opportunity to

pay tribute to James Wolfensohn who is stepping down as chairman of the board of trustees of the Kennedy Center to accept President Clinton's appointment as the new chairman of the World Bank. Jim is a well-known and widely respected investment banker. During the course of his brilliant career, he has also earned an outstanding reputation as a persuasive advocate for the arts. So it was no coincidence that the Kennedy Center turned to Jim 5 years ago to become the chairman at the center. Despite his many commitments, Jim accepted this major responsibility and did a magnificent job.

The Wolfensohn years brought the center into its own in fulfilling its intended role as a national performing arts center. Jim Wolfensohn's leadership developed a clear vision for this mission, and put the center on a sound financial basis. He improved and expanded the scope of its programming, and reached out to new audiences in the community. He has placed special emphasis on education programs. He has been instrumental in developing new dance initiatives for young people, commissioning new productions, and, most recently, establishing an international arts fellowship exchange program.

The Kennedy Center is vastly improved as a result of Jim's chairmanship, and more Americans than ever from across the country will have greater opportunities to enjoy the impressive programs and productions that have resulted from Jim's work. I'm sure that President Kennedy would be proud of the new vitality and energy that Jim has brought to my brother's memorial here in Washington, and so are all of us in the Kennedy family.

I know that Jim will bring the same excellence of vision and leadership to his new responsibilities at the World Bank, and I wish him well.

Mr. SIMPSON. Mr. President, I am so very pleased to join with my fine colleagues in paying tribute to one great fellow, my friend, James D. Wolfensohn, as he takes on the tremendous task of being president of the World Bank. That is a capacity he is well suited for—it truly merges his vast expertise in finance, his marvelous capability in public service, and his generous and caring nature. I have no doubt at all he will be a good and powerful force at that institution. But he will certainly be deeply missed at the Kennedy Center.

I have the richest and soundest respect for Jim Wolfensohn. He has worked doggedly on behalf of the Kennedy Center for the past 5 years—and he loved it and he did it for free. His staff is aggressive and competent and under his very sharp eye and supervision—they have cultivated and nurtured the Kennedy Center into its original status as a first-class arts institution of rare and abiding quality.

Jim truly stands head and shoulders above the rest—and above the fray. His splendid leadership will be sorely

missed by those of us in the Senate who remain committed to ensuring the future of an appealing and vibrant Kennedy Center.

God bless Jim and his bright and gracious wife Elaine as they embark on this new and vitally important mission.

Mr. CHAFEE. Mr. President, today I join with several of my colleagues in paying tribute to the outgoing chairman of the board of trustees of the John F. Kennedy Center for the Performing Arts, Mr. James D. Wolfensohn. As many in the Senate are aware, Mr. Wolfensohn is leaving the Kennedy Center to become chairman of the World Bank.

The Kennedy Center, a national monument and living memorial, could not have been blessed with a more talented and resourceful steward than James Wolfensohn. Mr. Wolfensohn came to the center more than 5 years ago with superb credentials and many remarkable accomplishments—so it is no surprise at all that he leaves the institution in far better condition than it was when he arrived.

As the Washington Post editorialized on June 5, 1995,

The Kennedy Center went looking for a new chairman in 1989 who could straighten out a place burdened with debts, artistic confusion and a wobbly relationship with its own trustees. Five years later, all those things have changed for the better—in large measure because of the man the trustees tapped—investment banker and former Carnegie Hall chairman James Wolfensohn.

Mr. President, I could not agree more with this assessment. In fact, I'd like to identify another area that Mr. Wolfensohn has worked hard on for the betterment of the Kennedy Center and numerous communities across the country—education and outreach. One of Mr. Wolfensohn's proudest achievements is the Kennedy Center's enhanced series of arts education programs.

Under James Wolfensohn's leadership, the Kennedy Center is now making use of cutting-edge computer and telecommunications technology by working with the National Endowment for the Arts, the Education Department, teachers, schools, and parents across the Nation to establish an interactive arts information network. This and other computer-based projects will now link schoolchildren and adults alike to the enriching study and performance of fine arts.

Locally, Kennedy Center staff and performing artists have increased their exposure to public schools in and around Washington, DC, by helping to integrate arts into the curriculum and by conducting more than 200 special performances for children and students.

These are but a few examples of the Kennedy Center's desire to play a role